

**ENTERED**

January 23, 2023

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

JUAN ALBERTO MARTINEZ MORALES	)	
	)	
VS.	)	CIVIL ACTION NUMBER
	)	M-21-0020
BOBBY LUMPKIN, Director,	)	
Texas Department of Criminal	)	
Justice, Correctional	)	
Institutions Division	)	

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The Court has reviewed the Magistrate Judge's Report and Recommendation regarding Petitioner's application to proceed in forma pauperis on appeal. After having reviewed the said Report and Recommendation, and after appropriate review of Petitioner's objections thereto, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, ORDERED, ADJUDGED, and DECREED that the conclusions in United States Magistrate Judge J. Scott Hacker's Report and Recommendation entered as Docket Entry Number 34 are hereby adopted by this Court. Accordingly, the application to proceed in forma pauperis on appeal is DENIED, and the Court CERTIFIES that the appeal of this case is not taken in good faith.

The Clerk shall send a copy of this Order to the parties.

DONE on this 23<sup>rd</sup> day of January, 2023, at McAllen, Texas.



Ricardo H. Hinojosa  
U.S. DISTRICT JUDGE